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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant(s): | Sean P. Selover et al. | Conf. No.: 5703 |
| Application No: | 10/711,704 | Group Art Unit: 3775 |
| Filing Date: | September 30, 2004 | Examiner: James L. Swiger, III |
| Entitled: | METHODS AND DEVICES FOR MINIMALLY INVASIVE SPINAL FIXATION ELEMENT PLACEMENT | |
| Atty. Docket No: | 101896-283 (DEP5154CIP) | |

Certificate of Transmission (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

November 12, 2009

By:



Date of Signature and Transmission

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Commissioner for Patents
P.O. Box 1450
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AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.116

Dear Sir:

Applicants submit this paper in response to the final Office Action dated September 18, 2009.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 6 of this paper.

A *Terminal Disclaimer* is filed herewith.

/James L. Swiger/

12/03/2009